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7 Cavalry Portfolio Services, LLC

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10

11
12 JESUS VICTOR RODRIGUEZ,

13 Plaintiffs,

14 vs.
15

16 CAVALRY PORTFOLIO
17 SERVICES, LLC,

18 Defendant.
19

CASE NO.: 11-CV-1837-LAB-MDD

**JOINT STATEMENT OF
UNDISPUTED FACTS RE:
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT**

Date: February 6, 2012

Time: 11:30 a.m.

Crtrm: 9, Second Floor

The Honorable Larry A. Burns

Pursuant to Section 4(e) of the Court's Standing Order in Civil Cases, the parties hereby submit this Joint Statement of Undisputed Facts in connection with the pending Motion for Summary Judgment filed by defendant Cavalry Portfolio Services, LLC, which is noticed to be heard on Monday, February 6, 2012:

1. On November 16, 2010, Cavalry ordered a copy of Rodriguez's consumer credit report from Experian. *See* Declaration of Terry W. Rivera In Support of Defendant's Motion for Summary Judgment at ¶ 6.

DATED: January 27, 2012

SIMMONDS & NARITA LLP
JEFFREY A. TOPOR
ARVIN C. LUGAY

By: s/Jeffrey A. Topor
Jeffrey A. Topor
Attorneys for Defendant

DATED: January 27, 2012

By: s/Jesus Victor Rodriguez
Jesus Victor Rodriguez
Plaintiff

PROOF OF SERVICE

I, the undersigned, declare:

I am employed in the City and County of San Francisco, California. I am over the age of eighteen years and not a party to this action. My business address is 44 Montgomery Street, Suite 3010, San Francisco, California 94104-4816.

I am readily familiar with the business practices of my employer, Simmonds & Narita LLP, for the collection and processing of correspondence by mailing with the United States Postal Service and that said correspondence is deposited with the United States Postal Service that same day in the ordinary course of business.

On this date, I served a copy of the following document:

**1) JOINT STATEMENT OF UNDISPUTED FACTS RE:
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

by causing such document to be placed in a sealed envelope for collection and delivery by the United States Postal Service to the addressee indicated below:

VIA U.S. MAIL

Jesus Victor Rodriguez
10531 4s Commons Drive, Suite 426
San Diego, CA 92127
Plaintiff

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, California on this 27th day of January, 2012.



Sally Koo